

TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT
(Under 37 CFR 1.97(b) or 1.97(c))

Docket No.
17053

In Re Application Of: **Takayuki Suzuki**

JAN 26 2005

Application No.	Filing Date	Examiner	Customer No.	Group Art Unit	Confirmation No.
10/670,029	September 24, 2003	Unassigned	23389	3661	4550

Title: **MEDICAL INSTRUMENT**

Address to:
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

37 CFR 1.97(b)

- The Information Disclosure Statement submitted herewith is being filed within three months of the filing of a national application other than a continued prosecution application under 37 CFR 1.53(d); within three months of the date of entry of the national stage as set forth in 37 CFR 1.491 in an international application; before the mailing of a first Office Action on the merits, or before the mailing of a first Office Action after the filing of a request for continued examination under 37 CFR 1.114.

37 CFR 1.97(c)

- The Information Disclosure Statement submitted herewith is being filed after the period specified in 37 CFR 1.97(b), provided that the Information Disclosure Statement is filed before the mailing date of a Final Action under 37 CFR 1.113, a Notice of Allowance under 37 CFR 1.311, or an Action that otherwise closes prosecution in the application, and is accompanied by one of:

the statement specified in 37 CFR 1.97(e);

OR

the fee set forth in 37 CFR 1.17(p).

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10/670,029	September 24, 2003	Unassigned	23389	3661	4550

Title: MEDICAL INSTRUMENT

Payment of Fee

(Only complete if Applicant elects to pay the fee set forth in 37 CFR 1.17(p))

A check in the amount of _____ is attached.

The Director is hereby authorized to charge and credit Deposit Account No. 19-1013/SSMP as described below.

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- Credit any overpayment.
- Charge any additional fee required.

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WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

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January 24, 2005

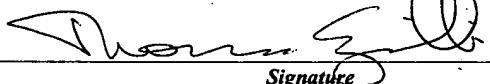
(Date)

Signature of Person Mailing Correspondence

Thomas Spinelli

Typed or Printed Name of Person Mailing Certificate

*This certificate may only be used if paying by deposit account.


Signature

Dated: January 24, 2005

Thomas Spinelli

Reg. No. 39,533

SCULLY, SCOTT, MURPHY & PRESSER

400 Garden City Plaza - Ste. 300

Garden City, NY 11530

(516) 742-4343

CC:

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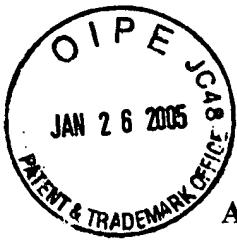
37 CFR 1.97(c)

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the statement specified in 37 CFR 1.97(e);

OR

the fee set forth in 37 CFR 1.17(p).



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Takayuki Suzuki **Examiner:** Unassigned
Serial No.: 10/670,029 **Art Unit:** 3661
Filed: September 24, 2003 **Docket:** 17053
For: MEDICAL INSTRUMENT **Dated:** January 24, 2005
Conf. No.: 4550

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

STATEMENT PURSUANT TO 37 C.F.R. § 1.704(d)

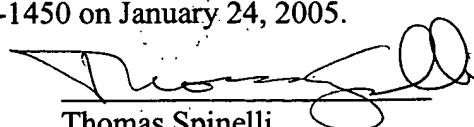
Sir:

I hereby state that each item of information contained in the Information Disclosure Statement submitted herewith was cited in a communication from a foreign patent office in a counterpart application and that this communication was not received by any individual designated in § 1.56(c) more than thirty days prior to the filing of the Information Disclosure Statement.

CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on January 24, 2005.

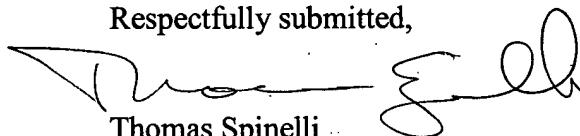
Dated: January 24, 2005



Thomas Spinelli

Therefore, this Information Disclosure Statement cannot be considered a failure to engage in reasonable efforts to conclude prosecution of the application under paragraphs (c)(6), (c) (8), (c) (9), or (c) (10) of 37 C.F.R. § 1.704.

Respectfully submitted,



Thomas Spinelli
Registration No. 39,533

Scully, Scott, Murphy & Presser
400 Garden City Plaza - Ste. 300
Garden City, New York 11530
(516) 742-4343

TS/jam

J.N 26 2005

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Takayuki Suzuki

Examiner: Unassigned

Serial No.: 10/670,029

Art Unit: 3661

Filed: September 24, 2003

Docket: 17053

For: MEDICAL INSTRUMENT

Dated: January 24, 2005

Conf. No.: 4550

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT

Sir:

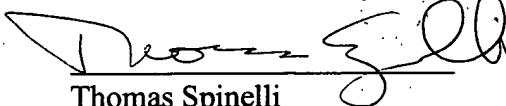
In accordance with 37 C.F.R §§1.97 and 1.98, it is requested that the following reference, which is also listed on the attached Form PTO-1449, be made of record in the above-identified case.

1. United States Patent No. 5,906,630, issued to Anderhub et al., dated May 25, 1999.

CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on January 24, 2005.

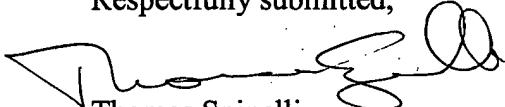
Dated: January 24, 2005


Thomas Spinelli

The reference was cited in a Search Report dated December 30, 2004 received from the European Patent Office. In accordance with the waiver of 37 C.F.R. § 1.98 (a)(2)(i) in effect as of June 30, 2003, applicant is not required to submit a copy of the above-cited U.S. Patent reference. The relevance of the above-identified reference has been described in the Search Report.

Further, the undersigned hereby states that each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement.

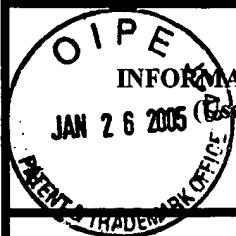
Respectfully submitted,



Thomas Spinelli
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TS:jam



INFORMATION DISCLOSURE CITATION
6/2005 (Use several sheets if necessary)

JAN 26 2005 (use several sheets if necessary)

JAN 26 2005 (use several sheets if necessary)

JAN 28 2004

Docket Number (Optional)

17053

Application Number

10/670,029

Applicant(s)

Takayuki Suzuki

Filing Date

September 24, 2003

Group Art Unit

3661

U.S. PATENT DOCUMENTS

FOREIGN PATENT DOCUMENTS

REF	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
						YES	NO

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

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EXAMINER

DATE CONSIDERED

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.